

AO 91 (Rev. 02/09) Criminal Complaint

Felony

UNITED STATES DISTRICT COURT

for the
Southern District of Texas

United States of America

v.

1 Carlos FRANCO

2 Hever MARIN

Defendant

Case No.

B-14-756-MJ

United States District Court
Southern District of Texas
FILED

AUG 18 2014

CRIMINAL COMPLAINT

David J. Bradley, Clerk of Court

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of August 16, 2014 in the county of Cameron in the Southern District of
Texas the defendant violated 8 USC 1324

an offense described as follows:

Knowing or in reckless disregard of the fact that aliens had come to, entered, or remained in the United States in violation of law, concealed, harbored, or shielded from detection, or attempted to conceal, harbor, or shield from detection, such aliens in any place, including any building or any means of transportation within the United States.

This criminal complaint is based on these facts:

See attachment A

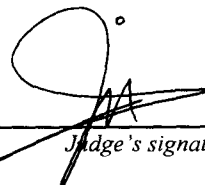
☒ Continued on the attached sheet.


Complainant's signature

Michael Clark, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: August 18, 2014


Judge's signature

City and state: Brownsville, Texas

Ignacio Torteya III U.S. Magistrate Judge

Printed name and title

B-14-156-MS

On August 16, 2014, Homeland Security Investigations Special Agents and U.S. Customs and Border Protection Air Interdiction Agents conducted surveillance on a Mexican registered, fixed wing aircraft located at the Valley International Airport, Harlingen, Texas. Agents observed a black in color Volkswagen arrive at the airport. Carlos FRANCO, the pilot, greeted the Volkswagen and escorted four of the vehicle's occupants through the fixed base operator to the aforementioned aircraft. The four occupants from the vehicle then entered the aircraft. When FRANCO began to enter the plane, agents approached, identified themselves as law enforcement officers, and conducted a consensual interview of FRANCO and the aircraft's occupants. The interviews revealed the four aircraft passengers as being undocumented aliens.

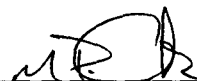
Agents initiated surveillance on the Volkswagen which delivered the four undocumented aliens to the airport. After it was determined the four persons who exited the vehicle were illegally present in the United States, agents initiated a traffic stop which revealed Hever MARIN was the operator of the Volkswagen.

Under advisement of Miranda Warnings, Agents interviewed FRANCO, MARIN and the four undocumented aliens.

FRANCO, the pilot, stated he knew the four persons were undocumented aliens, was paid \$3000 to transport the aforementioned undocumented aliens from Harlingen, Texas to San Marcos, Texas, and that he knew his actions were illegal. Furthermore, FRANCO identified, MARIN as being involved with him on previous human smuggling events. FRANCO stated during at least one human smuggling event MARIN provided him the fee he was paid for transporting undocumented aliens.

MARIN stated this event was the third time he transported persons. MARIN stated on the two previous occasions, during which he transported persons he was paid \$60 and believed he would be paid a similar amount on this occasion.

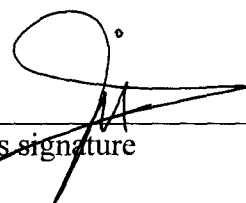
The four undocumented aliens stated they were informed a person in a black car would pick them up from the La Plaza Mall, McAllen, Texas and transport them to the Valley International Airport, Harlingen, Texas. The four undocumented aliens identified MARIN, the driver, as the person who transported them to the Valley International Airport. The four undocumented aliens stated they paid a fee of \$14,000 to be smuggled from Mexico to Houston, Texas.


Complainant's signature

Michael Clark, Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: August 18, 2014


Judge's signature

City and state: Brownsville, TX

Ignacio Torteya, III, U.S. Magistrate Judge
Printed name and title